<u>REMARKS</u>

The Decision on Request for Rehearing, in which the Request was granted, states that the original decision is modified to hold that the Examiner's rejections of claims 1-6 under 35 U.S.C. § 103(a) are reversed and a new ground of rejection is entered as to claim 1.

As best as can be understood, claim 1 is rejected under U.S.C. § 103(a) over AAPA (Applicant's Admitted Prior Art) in view of Feuerstraeter *et al.* (U.S. 2003/0058894).

Claims 2-6 have no outstanding rejection. Applicant has added new claims 7-10, which are believed to be allowable for at least the reasons discussed herein.

Regarding the new ground of rejection as to claim 1, Applicant respectfully traverse the rejection for failing to show correspondence to the claim limitations due, in part, to improper interpretations of the claim limitations. Applicant notes that the common usage of the term "integrated circuit" is commonly understood to refer to a circuit in a single package and on a single semiconductor wafer or chip. *See, e.g.,* "a circuit of transistors, resistors and capacitors constructed on a single semiconductor wafer or chip, in which the components are interconnected to perform a given function." integrated circuit. (n.d.). *Dictionary.com Unabridged.* Retrieved July 28, 2010, from Dictionary.com website: http://dictionary.reference.com/browse/integrated circuit. *See also* "a very small electronic circuit consisting of an assembly of elements made from a chip of semiconducting material, such as crystalline silicon" integrated circuit. (n.d.). *Collins English Dictionary - Complete & Unabridged 10th Edition.* Retrieved July 28, 2010, from Dictionary.com website:http://dictionary.reference.com/browse/integrated circuit. Given the context of Applicant's specification (*i.e.,* discussing the significance of developing a single integrated circuit with multiple functions instead of many different devices to perform various functions), this common usage should be adopted. *See also,* M.P.E.P. § 2111.01 "This means that the words of the claim must be given their plain meaning unless the plain meaning is inconsistent with the specification.... '[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, *i.e.,* as of the effective filing date of the patent application.'" Citing to *Phillips v. AWH Corp.,* 415 F.3d 1303, 1313 (Fed. Cir. 2005) (*en banc*). Accordingly, the relevant law and the M.P.E.P. require that this plain meaning of the term "integrated circuit" be used in the interpretation of the claim limitations.

The current rejection erroneously relies upon an interpretation of the term "integrated circuit" to "not require that the three elements are on the same chip." Appeal Decision, January 12, 2010, p. 8:24-9:2. Moreover, the contention that the "recitation of a base chip indicates that the base chip is a separate chip" is erroneous. The claim limitations do not recite or require "a separate chip," and thus, it is not proper to read such limitations into the claims. Applicant can find no support for the premise that the claim limitations require more than a single chip. Accordingly, the outstanding rejection is improper for relying upon an erroneous interpretation of the claim limitations.

Notwithstanding, Applicant has amended claim 1, largely by formatting the claims, and submits that the various components of the claim limitations do not state that the base chip is a "separate chip." These amendments are believed to consistent with the plain meaning of the term "integrated circuit" and the previous claim limitations and are therefore not for the purposes of further limiting the claim scope.

Applicant also submits that Applicant's specification explains (p. 2:24-25) that performance of protocol-based functions "in a self-contained fashion" means that the integrated circuit "can in particular carry out the bit-rate detection without an external microcontroller." As explained above, M.P.E.P. § 2111.01 requires that limitations cannot be interpreted in a manner that is inconsistent with Applicant's specification. The rejection presented in the Appeal Decision of January 12, 2010 erroneously asserts (p. 9) that limitations directed towards functions implemented "in a self-contained fashion" are "not clear" and that "apparently a microcontroller can still be used as long as it is not completely responsible for running the data bus protocol." Applicant submits that Applicant's specification is clear and also inconsistent with the conclusion of the Appeal Decision. Accordingly, the outstanding rejection is further improper for relying upon another improper interpretation of the claim limitations.

Applicant also submits that the rejection is further improper due to a mischaracterization of the teachings of the '894 reference. Contrary to the conclusion of the Appeal Decision (p. 13:3-6), the '894 reference does not teach a single integrated circuit package. Instead, the '894 reference teaches a set of chips: "The term 'Ser-Des' refers to a chipset that contains both a serializer and a deserializer." '894 reference, para. 0030. *See also*, '894 reference, FIG. 5 (showing what appears to be multiple chips). As a chipset is, by definition, a set of chips designed to work together, there does not appear to be support for a conclusion that various

functions are taught to be implemented in a single integrated circuit package. Accordingly, the outstanding rejection is improper for relying upon an erroneous interpretation of the teachings of the '894 reference.

Applicant further submits that the rejection is improper for lack of a sufficient reason to implement the proposed modification. The alleged modification is a combination of "the interface and serial/parallel functions of Feuerstraeter with the functions of the AAPA base chip as an 'integrated circuit' to simplify the design and because the combination does not produce any different results." Appeal Decision, January 12, 2010, p. 13:17-20. This reasoning appears circular in nature. AAPA already provides a workable solution for the LIN-protocol environment (*e.g.*, as used in the automotive industry). This solution already accounts for the different data rates of the LIN protocol, although it requires specially designed microcontrollers and associated external circuits, as discussed in Applicant's specification. Thus, adding the SERDES chipset, somehow modified for LIN-protocol, in a manner that "does not produce any different results" would result in a solution that is not noticeably different from AAPA, which already provides a multi-chip solution requiring specially adapted chips and microcontrollers and does not correspond to the claim limitations.

Moreover, Applicant respectfully submits that the skilled artisan would not find it obvious to redesign the '894 reference's chipset for a LIN-protocol when the references suggest no clear advantage resulting therefrom (*i.e.*, the combination "does not produce any different results"). The vague allusions to combining elements into a single integrated circuit are not supported by the evidence of record, including the cited references. For instance, none of the cited references suggests a LIN-protocol solution with the recited elements arranged in a single integrated circuit. Applicant submits that the only evidence of record that suggests the claim limitations as a whole is found in Applicant's specification. Accordingly, Applicant submits that the rejection is improper and requests that it be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Juergen Krause-Polstorff, of NXP Corporation at (408) 474-9062.

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